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DATE: May 10, 2007

PTO IDENTIFIER: Application Number 10/500,175-Conf. #3286
Patent Number

Inventor: Hirokazu Matsumoto et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER & DODGE LLP
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Attorney Dkt #: 61536 (46342)

PAGES (Including Cover Sheet): 5

CONTENTS: Amendment Transmittal (1 page);
Supplemental Response to Restriction Requirement (2 pages);
Certificate of Transmission (1 page)

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PTO/SB/97 (09-04)

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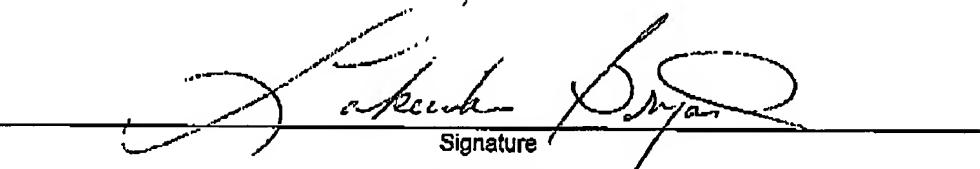
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Application No. (if known): 10/500,175

Attorney Docket No.: 61536 (46342)

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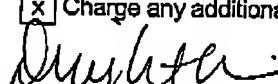
Amendment Transmittal (1 page);
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AMENDMENT TRANSMITTAL LETTER				Docket No. 61536 (46342)	
Application No. 10/500,175-Conf. #3286	Filing Date June 25, 2004	Examiner G. Chandra		Art Unit 1646	
Applicant(s): Hirokazu Matsumoto et al.					
Invention: BODY WEIGHT GAIN INHIBITOR					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
Total Claims	Claims Remaining After Amendment 39	Highest Number Previously Paid - 39 =	Number Extra Claims Present 0	Rate x 50.00	0.00
Independent Claims	18	- 18 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input type="checkbox"/> No additional fee is required for this amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. A duplicate copy of this sheet is enclosed. <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Dwight D. Kim, Ph.D. Attorney/Agent Reg. No.: 57,665					
Dated: <u>May 10, 2007</u>					
EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 517-5588					

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MAY 10 2007

Docket No.: 61536 (46342)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
H. Matsumoto, et al.

Application No.: 10/500,175

Confirmation No.: 3286

Filed: June 25, 2004

Art Unit: 1646

For: BODY WEIGHT GAIN INHIBITOR

Examiner: G. Chandra

SUPPLEMENTAL RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This document is submitted in response to the Office Action mailed from the United States Patent and Trademark Office on April 11, 2007. Claims 1-39 are pending in the instant application and are subject to restriction. Claims 1-21 and 23 were withdrawn from consideration in the response filed on February 7, 2007.

In response to the restriction requirement, Applicants hereby provisionally further elect SEQ ID NO: 16 for claims 22 and 24-39. The instant election is made with traverse for continued examination and Applicants submit that no unreasonable burden is incurred by a search of the sequence identifications that can be found at least at pages 82-97 of the specification.

This election is made with the understanding that upon allowance of a generic claim, Applicants will be entitled to the consideration of the additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

Application No. 10/500,175
Amendment dated May 10, 2007
Reply to Office Action dated April 11, 2007

Docket No.: 61536 (46342)

The present election should not be construed as a surrender of any subject matter of the application. Applicants reserve the right to file divisional application(s) on the non-elected claims.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

The Director is hereby authorized to charge any credits or deficiency in the fees filed (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 61536 (46342).

Dated: May 10, 2007

Respectfully submitted,

By Dwight
Dwight D. Kim, Ph.D.

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